

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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MICHAEL V. LUJAN,

Case No. 3:21-cv-00343-MMD-WGC

Petitioner,

v.

ORDER

NEVADA DEPARTMENT OF
CORRECTIONS, *et al.*,

Respondents.

In compliance with this Court's prior order (ECF No. 12), Petitioner Michael V. Lujan has filed an application to proceed *in forma pauperis* in this habeas action under 28 U.S.C § 2254. (ECF No. 14.) The Court finds that Lujan can pay the full filing fee of \$5.00. Lujan will have 30 days from the date that this order is entered to have the filing fee sent to the Clerk of the Court.

The Court's prior order also informed Lujan that his petition for writ of habeas corpus (ECF No. 1-1) is not on this Court's approved form. See LSR 3-1, Local Rules of Practice, U.S. District Court of Nevada. The order directed him to file an amended habeas petition on the approved form within 30 days. (ECF No. 12 at 2.) Lujan has not complied with that order. The Court will provide him one final opportunity to comply.

It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 14) is denied. Lujan will have 30 days from the date that this order is entered to have the filing fee of \$5.00 sent to the Clerk of the Court. Failure to comply will result in the dismissal of this action.

The Clerk of Court is directed to send Lujan two copies of this order. Lujan must make the necessary arrangements to have one copy of this order attached to the check paying the \$5.00 filing fee.

1 It is further ordered that Lujan must also file, within 30 days, an amended petition
2 on the Court's approved form. He must include in that amended petition any additional
3 claims for habeas corpus relief of which he is aware.

4 It is further ordered that if Lujan fails to respond to this order in the time and manner
5 provided above, the Court will enter an order dismissing this case, without prejudice.

6 It is further ordered that a decision on Lujan's motion for appointment of counsel
7 (ECF No. 1-2) is deferred until the Court receives his amended petition.

8 DATED THIS 16th Day of November 2021.

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11 MIRANDA M. DU
12 CHIEF UNITED STATES DISTRICT JUDGE
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